

JD:JEA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

KASSIN RIVERS,

Defendant.

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AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

(18 U.S.C. § 2113(d))

I8-MJ-739

EASTERN DISTRICT OF NEW YORK, SS:

PAUL COURTNEY, being duly sworn, deposes and states that he is a Detective with the New York City Police Department, duly appointed according to law and acting as such.

On or about December 23, 2017, within the Eastern District of New York, the defendant KASSIN RIVERS did knowingly and intentionally take and attempt to take by force, violence and intimidation, from the person and presence of another, money belonging to and in the care, custody, control, management and possession of a bank or other financial institution, to wit: HSBC Bank, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(d))

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Detective with the New York City Police Department (“NYPD”) and have been involved in the investigation of numerous bank robberies. My information in this case comes from my personal involvement in the investigation, a review of records of the Federal Bureau of Investigation (“FBI”), NYPD, and other government agencies, including video footage recorded by surveillance cameras and reports of victim interviews, and conversations with other law enforcement officers.

2. On or about December 23, 2017, at approximately 10:13 a.m., the defendant KASSIN RIVERS and RODNEY GRIFFIN entered the branch of HSBC Bank located at 87-03 Queens Boulevard, Elmhurst, New York (the “Bank”) and GRIFFIN proceeded to a teller station while RIVERS remained at the front entrance as a lookout. GRIFFIN then grabbed an HSBC customer (“Victim 1”) and brandished a firearm at an HSBC teller (“Victim 2”), pointed the firearm at Victim 1’s head and stated in part, “Give me the money or I’ll shoot the customer.” Victim 2 then gave the defendant GRIFFIN approximately \$825 in cash. GRIFFIN took the money and left the Bank with RIVERS on foot along 55th Avenue.

3. Members of the NYPD-FBI Joint Bank Robbery Task Force responded to the scene and recovered an orange plastic bag used by the robbers and surveillance video of the robbery. Law enforcement also recovered video surveillance when they canvassed the area around the Bank.

4. The surveillance video shows the defendant RIVERS and GRIFFIN run on foot along 55th Avenue and enter an early-model silver Jaguar on Justice Avenue. The silver Jaguar thereafter flees eastbound on Justice Avenue. The surveillance video shows that the silver Jaguar has several unique features including, but not limited to, significant

front-end damage, tinted windows, a municipality sticker on the rear, driver-side window, and the rear, passenger-side window opened halfway.

5. On January 11, 2018, law enforcement discovered a 2001 silver Jaguar that matched the silver Jaguar used as the getaway car during the robbery. Law enforcement learned that an individual sold the silver Jaguar that morning for \$100 to Cash for Cars. Law enforcement also learned that the individual who sold the silver Jaguar provided a contact cellular number which, based on information provided by T-Mobile US, Inc., shows the number belonged to JAMES MCCLOUD (the "MCCLOUD Phone"). I inspected the vehicle, which has the same unique features of the silver Jaguar used as the getaway vehicle, including significant front-end damage, tinted windows, a municipality parking sticker on the rear, driver-side window, and the rear, passenger-side window opened half-way. I believe that the 2001 silver Jaguar vehicle discovered with Cash for Cars to be the getaway car used during the robbery.

6. Law enforcement further investigated the ownership of the 2001 silver Jaguar. Based on law enforcement interviews of the previous owner of the 2001 silver Jaguar (the "Owner") and her son (the "Owner's Son"), law enforcement determined that MCCLOUD purchased the 2001 silver Jaguar on or about November 18, 2017 from the Owner for \$500.

7. Law enforcement sought and obtained a search warrant for the MCCLOUD Phone and an additional cellular number, based on information provided by Sprint Corporation, which showed that the number belonged to RODNEY GRIFFIN (the "GRIFFIN Phone"). A review of information obtained pursuant to the warrants led law enforcement to determine that the MCCLOUD Phone and GRIFFIN Phone were in the

vicinity of the Bank at the time of the robbery and in contact with each other throughout that day.

8. Further review of information obtained pursuant to the warrants showed that the MCCLOUD Phone and the GRIFFIN Phone were on a three-way call with a third cellular number at the time of the robbery. Based on information provided by T-Mobile US, Inc., the third number belonged to the defendant KASSIN RIVERS (the "RIVERS Phone"). Law enforcement thereafter sought and obtained a search warrant for the RIVERS Phone. A review of information obtained pursuant to the warrant showed that the RIVERS Phone was in the vicinity of the Bank at the time of the robbery and on a three-way call with the MCCLOUD Phone and the GRIFFIN Phone during the robbery. In addition, a review of the information obtained shows the RIVERS Phone in contact with the GRIFFIN Phone and MCCLOUD Phone before and after the robbery. I have reviewed the surveillance video from the Bank which shows the defendant RIVERS holding his left hand up to his face during the robbery. The surveillance video further shows RIVERS speaking into his left hand at different times during the robbery.

9. The surveillance video from the Bank also shows GRIFFIN holding an orange plastic bag during the robbery. The orange plastic bag was submitted to the NYPD laboratory for fingerprint analysis, which recovered one fingerprint. The fingerprint recovered from the orange plastic bag is a match with a fingerprint that law enforcement has on file for the defendant RODNEY GRIFFIN from a previous arrest. The orange plastic bag was also submitted to the New York City Office of the Chief Medical Examiner for further testing and analysis. DNA obtained from the orange plastic bag matches DNA on file for RODNEY GRIFFIN.

10. On March 29, 2018, the Honorable Vera M. Scanlon, United States Magistrate Judge for the Eastern District of New York, issued a warrant for the arrest of JAMES MCCLOUD and RODNEY GRIFFIN, for Bank Robbery, in violation of 18 U.S.C. § 2113(d) and possession and brandishing a firearm in relation to a crime of violence, in violation of 18 U.S.C. § 924(c). On April 16, 2018, an indictment was filed charging the defendants JAMES MCCLOUD and RODNEY GRIFFIN with one count of Bank Robbery (18-CR-192 (WFK)).

11. I have reviewed the surveillance video, and the physical appearance of the lookout at the Bank depicted in the surveillance video is consistent with the race and height that law enforcement has on file for the defendant RIVERS.

12. I have confirmed that the deposits of HSBC Bank are insured by the Federal Deposit Insurance Corporation.

13. I request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

WHEREFORE, your deponent respectfully requests that the defendant
KASSIN RIVERS, be dealt with according to law.



PAUL COURTNEY
Detective, New York City Police Department

Sworn to before me this
12th day of August, 2018



THE HONORABLE J.
UNITED STATES M.
EASTERN DISTRICT